

DOCKET NO. R.L. MCDOWELL 20-76

2643
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Richard L. McDowell, et al.

Serial No.: 09/967,140

Filed: September 28, 2001

For: A PROXIMITY REGULATION SYSTEM FOR USE
WITH A PORTABLE CELL PHONE AND A METHOD
OF OPERATION THEREOF

Group: 2643

Examiner: Thai Vu

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313, on
05/19/05 (Date)
DEBBIE SAMS
(Printed or typed name of person signing the certificate)
Debbie Sams
(Signature of the person signing the certificate)
05/19/05
(Date of Signature)

INFORMATION DISCLOSURE STATEMENT

In accordance with 37 C.F.R. §1.56 and the provisions of 37 C.F.R. §§1.97 and 1.98 and §609 of the Manual of Patent Examining Procedure, Applicant hereby makes a disclosure of the patents, publications and other information listed below and on the accompanying form IDS by Applicant, which may be potentially material to the patentability of the invention disclosed in the above-referenced application. Pursuant to § 1.97(e) the Applicant hereby states that each item of

information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application. A copy of the listed reference is submitted herewith. A disclosures was previously filed on October 1, 2002.

<u>Foreign Publication No.</u>	<u>Country</u>	<u>Date</u>
WO 02/05443 A2	WO/PCT	January 17, 2002

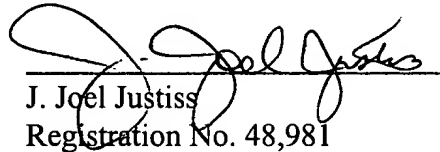
A copy of the above reference was previously filed with the previous disclosure but was not listed on Form PTO/SB/08A.

As attorney for the Applicant, I am signing below on the basis of the information supplied by an individual designated in § 1.56(c).

The Commissioner is hereby authorized to charge any fees connected with this communication or credit any overpayment to Deposit Account No. 08-2395.

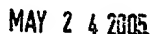
Respectfully submitted,

HITT GAINES, P.C.


J. Joel Justiss
Registration No. 48,981

Date: 5/19/05

Hitt Gaines, P.C.
P.O. Box 832570
Richardson, Texas 75083-2570
(972) 480-8800



Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

(Use as many sheets as necessary)

Sheet	1	of	1
-------	---	----	---

Complete if Known

Application Number	09/967,140
Filing Date	September 28, 2001
First Named Inventor	Richard L. McDowell
Art Unit	2643
Examiner Name	Thai Vu
Attorney Docket Number	R.L. MCDOWELL 20-76

U. S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ *Number ⁴ *Kind Code ⁵ (if known)				
		WO 02/05443 A2	01/17/2002	Irvin, et al.		

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.¹ Applicant's unique citation designation number (optional).² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04.³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3).⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible.⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.